HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE Ms. JUSTICE G. ROHINI

Writ Petition No. 13728 of 2002

Between:

M. Venkateswara Rao & others

... Petitioners

And

The District Collector,
West Godavari District at Eluru & another

... Respondents

:: O R D E R ::

Counsel for the petitioners : Shri C. Ramachandra Raju

Counsel for the respondents : Assistant Government Pleader for Revenue

October 22, 2007

Per G.S. Singhvi, CJ

In this petition, the petitioners have made the following substantive prayer:

> " Under these circumstances, it is just and necessary in the interests of justice that this Hon'ble Court may be pleased to –
> (1)issue an order or direction, more in the nature of writ of mandamus, directing the respondents in interfering with the fish-cum-prawn tank of the petitioners over an extent of Ac.4.95 cents in Sy.Nos. 698, 717/1, 717/2 & 3, 717/4 & 752/1 of Nandamuru Garuvu Village, Veeravasaram Mandal, West Godavari District, without issuing any show cause notice and without passing any order is without jurisdiction, highly arbitrary, discriminatory, illegal and violative of Articles

14 and 21 of the Constitution of India and also violative principles of natural justice and consequently direct the respondents not to interfere with the fish-cum-prawn tank without due process of law;

(2) to direct the respondents not to interfere with the fish-cum-prawn tank of the petitioners over an extent of Ac.4.95 cents in Sy.Nos. 698, 717/1, 717/2 & 3, 717/4 & 752/1 of Nandamuru Garuvu Village, Veeravasaram Mandal, West Godavari District pending disposal of the above writ petition.

and pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

Learned counsel for the petitioners says that the writ petition has become infructuous and the same may be disposed of as such. Ordered accordingly.

As a sequel to disposal of the writ petition as infructuous, order dated 30.07.2002 is vacated and W.P.M.P.No.17093 of 2002 filed by the petitioners is dismissed.

G.S. SINGHVI, CJ

G. ROHINI, J

October 22, 2007
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